

Attorney Docket No.:

**PTQ-0027**

Inventors:

**Van Eyk et al.**

Serial No.:

**09/115,589**

Filing Date:

**July 15, 1998**

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This listing of the claims will replace all prior versions and listings of claims in the application:

**Listing of the claims:**

Claims 1-79 (canceled)

1      Claim ~~80~~ (currently amended): A method for assessing skeletal muscle damage in a subject, comprising detecting the presence or absence or measuring the amount of:

(a) a peptide fragment of a myofilament protein; or  
(b) a covalent or non-covalent complex of at least:  
    (i) a peptide fragment of a myofilament protein and an intact myofilament protein; or  
    (ii) two peptide fragments of myofilament proteins,

in a biological sample obtained from a subject being assessed for skeletal muscle damage, said biological sample being selected from the group consisting of skeletal muscle tissue, a component of skeletal muscle tissue, blood, blood serum and urine, by incubating the biological sample with an antibody or a functional fragment of an antibody antigen specific fragment thereof that specifically binds to the peptide fragment of a myofilament protein under conditions which allow the antibody or functional fragment of the antibody antigen specific fragment thereof to form a complex with the

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(a) peptide fragment of a myofilament protein; or  
(b) covalent or non-covalent complex of at least:  
(i) a peptide fragment of a myofilament protein  
and an intact myofilament protein; or  
(ii) two peptide fragments of myofilament  
proteins,  
and detecting or measuring the formed complex,  
wherein said peptide fragment of the myofilament protein or  
said peptide fragment of the covalent or non-covalent  
complex formation consists of:  
a skeletal troponin I peptide fragment, or  
a skeletal troponin T peptide fragment,  
and wherein the presence or amount of:  
(a) the peptide fragment of the myofilament protein; or  
(b) the covalent or non-covalent complex of at least:  
(i) the peptide fragment of the myofilament  
protein and the intact myofilament protein; or  
(ii) two peptide fragments of myofilament  
proteins,  
in the biological sample is associated with skeletal muscle  
damage.

**2**

**1** Claim ~~21~~ (previously presented): The method of claim  
~~20~~, wherein the peptide fragment of the myofilament protein  
or the covalent or non-covalent complex of at least:

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(i) a peptide fragment of a myofilament protein and an intact myofilament protein; or

(ii) two peptide fragments of myofilament proteins consists of a covalent complex.

**3**

**1**

Claim ~~82~~ (previously presented): The method of claim ~~80~~ wherein the presence of at least two different peptide fragments of myofilament proteins or covalent or non-covalent complexes is detected.

**4**

Claim ~~83~~ (previously presented): The method of claim ~~80~~ **1** wherein the amounts of at least two different peptide fragments of myofilament proteins or covalent or non-covalent complexes are measured and the measured amounts are compared as an indication of the extent of skeletal muscle damage in the subject.

**5**

**1**

Claim ~~84~~ (previously presented): The method of claim ~~80~~ wherein the ratio of at least two different peptide fragments of myofilament proteins or covalent or non-covalent complexes is assessed as an indication of the extent of skeletal muscle damage in the subject.

Claim 85-86 (canceled)

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6        Claim ~~87~~<sup>1</sup> (previously presented): The method of claim  
~~80~~<sup>1</sup>, wherein the complex is detected or measured by assaying  
for the presence of a label.

7        Claim ~~88~~<sup>1</sup> (previously presented): The method of claim  
~~80~~<sup>1</sup>, wherein the antibody or functional fragment of the  
antibody is labeled with an enzyme which is detected by  
measuring enzymatic activity associated therewith.

8        Claim ~~89~~<sup>7</sup> (previously presented): The method of claim  
~~86~~<sup>7</sup>, wherein the enzyme is selected from the group consisting  
of alkaline phosphatase, horseradish peroxidase, luciferase,  
beta-galactosidase, lysozyme, glucose-6-phosphate  
dehydrogenase, lactate dehydrogenase, and urease.

9        Claim ~~90~~<sup>1</sup> (previously presented): The method of claim  
~~80~~<sup>1</sup>, wherein the antibody or a functional fragment of an  
antibody is immobilized on a solid phase.

10       9        Claim ~~91~~<sup>9</sup> (previously presented): The method of claim  
~~80~~<sup>9</sup>, wherein the solid phase is a plastic surface.

11       Claim ~~92~~<sup>1</sup> (previously presented): The method of claim ~~80~~<sup>1</sup>  
wherein the skeletal muscle damage is reversible.

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**11**

Claim ~~93~~ (previously presented): The method of claim ~~92~~  
wherein the skeletal muscle damage is due to at least one  
condition selected from the group consisting of hypoxia,  
hypoxemia, ischemia, fatigue and reperfusion.

13

**1**

Claim ~~94~~ (previously presented): The method of claim ~~90~~  
wherein the skeletal muscle damage is irreversible.

14

**13**

Claim ~~95~~ (previously presented): The method of claim ~~91~~  
wherein the skeletal muscle damage is due to at least one  
condition selected from the group consisting of hypoxia,  
hypoxemia, ischemia, and reperfusion.

Claim 96 (canceled)

15

Claim ~~97~~ (currently amended): A method for assessing  
skeletal muscle damage in a subject, comprising detecting  
the presence or absence or measuring amounts of at least two  
different:

- (a) peptide fragments of a myofilament protein
- (b) covalent or non-covalent complexes of at least:
  - (i) a peptide fragment of a myofilament protein  
and an intact myofilament protein; or
  - (ii) two peptide fragments of a myofilament  
protein,

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in a biological sample obtained from a subject being assessed for muscle damage, said biological sample being selected from the group consisting of skeletal muscle tissue, a component of skeletal muscle tissue, blood, blood serum and urine, by incubating the biological sample with an antibody or a functional fragment of an antibody antigen specific fragment thereof that specifically binds to the peptide fragment of a myofilament protein, under conditions which allow the antibody or functional fragment of the antibody antigen specific fragment thereof to form a complex with the

(a) peptide fragment of a myofilament protein; or  
(b) covalent or non-covalent complex of at least:  
    (i) a peptide fragment of a myofilament protein and an intact myofilament protein; or  
    (ii) two peptide fragments of myofilament proteins,  
and detecting or measuring the formed complex, wherein said peptide fragments of the myofilament protein or said peptide fragments of the covalent or non-covalent complexes consist of:

    skeletal troponin I peptide fragments, or  
    skeletal troponin T peptide fragments,  
wherein the presence or amount of the:

(a) peptide fragments of the myofilament protein; or

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(b) covalent or non-covalent complexes of at least:  
(i) the peptide fragment of the myofilament protein and the intact myofilament protein; or  
(ii) two peptide fragments of the myofilament protein,  
in the biological sample are associated with muscle damage,  
and  
wherein the  
(a) peptide fragments of the myofilament protein; or  
(b) covalent or non-covalent complexes of at least:  
(i) the peptide fragment of the myofilament protein and the intact myofilament protein; or  
(ii) two peptide fragments of the myofilament protein,  
are from the same myofilament protein.

15  
16       Claim 96 (previously presented): The method of claim 97  
wherein the ratio of the  
(a) peptide fragments of the myofilament protein; or  
(b) covalent or non-covalent complexes of at least:  
(i) the peptide fragment of the myofilament protein and the intact myofilament protein; or  
(ii) two peptide fragments of the myofilament protein,

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from the same myofilament protein is assessed as an indication of the extent of the muscle damage in the subject.

Claim 99-102 (canceled)

1  
**17** Claim ~~103~~ (new): The method of claim ~~80~~ wherein said biological sample is skeletal muscle tissue.

1  
**18** Claim ~~104~~ (new): The method of claim ~~80~~ wherein said biological sample is a component of skeletal muscle tissue.

1  
**19** Claim ~~105~~ (new): The method of claim ~~80~~ wherein said biological sample is blood.

1  
**20** Claim ~~106~~ (new): The method of claim ~~80~~ wherein said biological sample is blood serum.

1  
**21** Claim ~~107~~ (new): The method of claim ~~80~~ wherein said biological sample is urine.

**15**  
**22** Claim ~~108~~ (new): The method of claim ~~80~~ wherein said biological sample is skeletal muscle tissue.

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23        Claim ~~109~~ (new): The method of claim ~~97~~ wherein said biological sample is a component of skeletal muscle tissue.

15

24        Claim ~~110~~ (new): The method of claim ~~97~~ wherein said biological sample is blood.

15

25        Claim ~~111~~ (new): The method of claim ~~97~~ wherein said biological sample is blood serum.

15

26        Claim ~~112~~ (new): The method of claim ~~97~~ wherein said biological sample is urine.